

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

CHARLES BATES et al.,

Defendants

Criminal No. 23-10040-LTS

JOINT STATUS REPORT

Defendants were arrested by Complaint on October 15, 2022. On February 16, 2023, a grand jury indicted both defendants on one count of conspiracy to possess with intent to distribute 500 grams or more of methamphetamine and 40 grams or more of fentanyl. 21 U.S.C. § 846. Lenardis was indicted on an additional count of possession with intent to distribute 500 grams or more of methamphetamine and 40 grams or more of fentanyl, 21 U.S.C. § 841(a)(1), and one count of being a felon in possession of firearms and ammunition, 18 U.S.C. § 922(g). Defendant Lenardis is detained; defendant Bates is released on conditions.

Pursuant to Local Rule 116.5(b), the parties submit the following joint status report.

1. Automatic Discovery and Discovery Requests

The government provided initial automatic discovery on March 28, 2023. Defense counsel are seeking additional time to review the automatic discovery. The government is prepared for the case to be sent to the district judge.

2. Timing of Additional Discovery

The government will provide any additional exculpatory information as provided by the Local Rules.

3. **Timing of Additional Discovery Requests**

Defendants request additional time to review the automatic discovery before deciding whether to make discovery requests.

4. **Protective Orders**

The government has not filed a request for a protective order.

5. **Pretrial Motions**

The defendants have not filed any pretrial motions under Fed. R. Crim. P. 12(b). They reserve the right to file after review of complete discovery.

6. **Timing of Expert Disclosures**

The Court established a date of 30 days before trial for expert witness disclosures. The government submits that expert witnesses likely to be called by the government include forensic chemists to testify about the substances seized.

7. **Defenses**

The defendants need additional time to review discovery before deciding whether they intend to raise any affirmative defenses to the present charges.

8. **Excludable Delay**

Zero days of non-excludable time have accrued and 70 days will remain under the Act in which the case must be tried.

9. **Plea Discussions, Trial**

Not all parties have engaged in plea negotiations. It is therefore difficult to assess the likelihood of trial. Any trial is anticipated to last 4-5 days.

10. Timing of Final Status Conference

The government is prepared for the case to be sent to the district court. Defense counsel seek additional time to review discovery; the Court may wish on that basis to cancel the Interim Status Conference scheduled for July 25, 2023. Should the Court do so, the parties suggest that the Court set a final status conference in thirty days. The parties jointly request that any Speedy Trial Act time be excluded from July 25, 2023, until any further status conference that the Court schedules.

Respectfully submitted,

JOSHUA S. LEVY
Acting United States Attorney

By: /s/ Samuel R. Feldman
Samuel R. Feldman
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants .

/s/ Samuel R. Feldman

Samuel R. Feldman

Assistant United States Attorney

Date: July 18, 2023